

# DCF LEGISLATIVE TESTIMONY



02/09/2023

**TESTIMONY OF**

Deputy Secretary Tanya Keys

Kansas Department for Children and Families

**TESTIMONY ON**

HB 2141, Written Only

**Chair**

Representative Averkamp

**Vice Chair**

Representative Howell

**Ranking Member**

Representative Meyer

**and**

**Members of the Committee**

## SUMMARY OF ISSUE & DCF POSITION

Chairperson Averkamp and members of the committee, thank you for the opportunity to testify in opposition of House Bill 2141. Current law states that individuals who have not cooperated without good cause with child support services shall be ineligible to participate in the food assistance program. This bill replaces that language with an affirmative requirement that all custodial and non-custodial parents shall cooperate with the Child Support Enforcement Program to be eligible for food assistance. The bill also addresses delinquent court-ordered child support payments. Individuals would be disqualified from participating in the Food Assistance Program during any month the individual is delinquent in making a court ordered support payment.

Kansas is a mandatory state regarding cooperation with child support services. All required cases are currently referred to Child Support Services (CSS). This bill would not have an effect on the number of cases referred to CSS. Instances where a food assistance recipient has an order for support, but the custodial parent has no open assistance program and has chosen to go through a private attorney or court trustee would not be identified through the process. Notifications can only be made for persons in both the child support and EES systems.

Under existing law, food assistance cases are closed in instances of noncooperation with Child Support Programs. Disqualifying food assistance when they become delinquent in any month for failing to pay court ordered support would require constant real-time notifications between the child support and economic and employment support (EES) programs. Notifications would be needed to stop benefits when a payment is delinquent and to restart benefits when the court ordered support resumes.

Currently CSS & EES maintain separate information systems to track and record data related to child support payments and food assistance eligibility. Modifications would be required for each system in order to report delinquent payments and disqualify benefits. These changes would help provide an automated system of notifications and changes. Estimated costs to provide automated notifications changes total \$500,000 for each system for a total of \$1.0 million. The changes to the child support system would be funded with 67% federal funds / 33% fee fund. Changes to the EES system would be 50% federal funds / 50% state funds.

Food assistance staff then would still need perform manual operations to stop and restart benefits. Delinquency notifications would not be received until the month following the delinquent payments. Federal regulations require recipients to be timely and adequately notified before any actions can be taken. This notice would have to occur prior to disqualification of benefits. This action would delay stoppage of benefits in a month of non-payment until two or more months after the fact. Increased reporting may also result in temporary stoppage of food assistance benefits. The bill could affect the number of applications received as individuals whose case are closed due to delinquent payments could apply for benefits at a later time.

Adding complexity to the program, which may provide little or no value, subtracts from the serving the core purpose. It also opens up the opportunity for more unintentional errors. USDA SNAP regulations cfr 276.4 may determine that a state's administration of the program is ineffective or inefficient. Administrative funds may be suspended or withheld should delays in issuing benefits and/or errors increase.

To meet the increase in manual transactions and reapplications, it is estimated that an additional 16 FTE positions would be needed. These positions would be Compliance Coordinators and have responsibility for monitoring delinquency reports and taking actions, as required, to disqualify benefits, send notices, set up overpayments, etc. These positions would be located in the regional DCF offices, with four being assigned to each region. Costs associated with the additional FTE total \$974,796 for FY 2024. These costs would be funded using 57% state funds and 43% federal funds.

CSS does not anticipate a significant increase in revenue related to child support collections as a result of requiring Supplemental Nutrition Assistance Program recipients to be current on payments in order to receive their food assistance benefits.

DCF is in opposition to this bill due to the implementation logistics and the potential for federal penalty. Thank you again for the opportunity to provide opponent testimony on House Bill 2141.